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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

RAMONA BAND OF CAHUILLA,  
CAHUILLA BAND OF INDIANS,  
Plaintiff-Intervenors,

vs.

FALLBROOK PUBLIC UTILITY DISTRICT,  
et al.,  
Defendants.

CIVIL NO.: 51-CV-1247-GPC-RBB

**JOINT MOTION TO EXTEND STAY**

Date: No hearing date set  
Time:  
Dept: 9

Hon. Gonzalo P. Curiel

**ORAL ARGUMENT NOT REQUIRED**

1 Plaintiff-Intervenors Ramona Band of Cahuilla and Cahuilla Band of Indians (Tribes)  
2 respectfully move this Court for a 90-day extension of the stay of litigation until July 20, 2015.  
3 An extension of the stay will allow the parties to continue their progress toward a negotiated  
4 settlement of the Tribes' water rights claims. Under this Court's Order of January 26, 2015,  
5 (Doc. No. 5474), the current stay expires on April 20, 2015. Counsel for the Tribes are  
6 authorized to state that the United States, State of California, County of Riverside, Riverside  
7 County Flood Control and Water Conservation District, the Greenwald Landowners, Hemet  
8 Unified School District, Agri-Empire, and the Anza Basin Landowners Group do not oppose the  
9 Tribes' request to extend the stay for an additional 90 days.

10 Settlement discussions during the preceding 90 days have continued to move the parties  
11 along a path to a negotiated resolution of the Tribes' claims that also addresses the concerns and  
12 interests of the other settlement parties. U.S. Magistrate Judge Ruben B. Brooks continues to  
13 play a constructive and effective role in narrowing the outstanding issues and facilitating  
14 proposals and ideas to satisfactorily resolve them. The parties have directed their efforts at the  
15 following tasks: 1) revising the characteristics of the State of California's proposed water right;  
16 2) establishing procedures for administration of the water basins during times of drought; 3)  
17 revising proposed measures to protect water supplies on the Tribes' reservations; 4) revising the  
18 proposed water right for the Greenwald Landowners; and 5) outlining administration of the  
19 settlement agreement and final decree by the Watermaster and allocating costs associated with  
20 such administration. In addition, in late February, the Tribes met with the Watermaster for two  
21 days to discuss his comments and proposed revisions to the draft Settlement Agreement, which  
22 materially advanced the settlement process.

23 Following the meeting with the Watermaster, the Tribes prepared a comprehensive  
24 revision of the draft settlement agreement for circulation to the settlement parties. Some of them  
25 have responded with comments and proposed revisions of their own. The parties recently  
26 referred a number of technical issues to the Technical Committee for its investigation and  
27 analysis. The results of that work are expected soon, and will help to establish a sound technical  
28 basis for resolving the outstanding issues.

1 The issues outlined above were discussed at either in-person or telephonic meetings on  
2 the following dates:

3 January 22: in-person meeting among the Tribes, the United States, State of California,  
4 the County of Riverside and the Watermaster;

5 January 22: in-person meeting among Magistrate Judge Brooks, the Tribes, the United  
6 States, the State of California, the County of Riverside, Hemet Unified  
School District, and the Watermaster;

7 February 2: telephonic meeting among the Tribes and the United States;

8 February 3: telephonic meeting among Judge Brooks, the Cahuilla Band of Indians,  
9 the United States and Agri-Empire;

10 Feb. 19-20: in-person meetings among the Tribes, the United States and the  
11 Watermaster;

12 February 24: telephonic meeting among the Tribes, the United States and the  
13 Greenwald Landowners;

14 March 9: telephonic meeting among the Tribes and the United States;

15 March 12: telephonic meeting among the settlement parties and the Watermaster;

16 March 19: in-person meeting among the Tribes, the United States and the State of  
17 California;

18 March 19: in-person meeting among Judge Brooks, the Tribes, the United States, the  
19 State of California; the County of Riverside; Hemet Unified School  
District and the Watermaster;

20 March 20: in-person meeting among Judge Brooks, the Tribes, the United States, the  
21 Anza Landowners Group and the Watermaster.

22 The parties are committed to continuing these settlement discussions. The parties are  
23 scheduled to meet on May 12 to continue the discussions. A telephonic meeting among  
24 Magistrate Judge Brooks, the Cahuilla Band of Indians, Agri-Empire and the United States is  
25 scheduled for May 21. All parties are scheduled to meet with Magistrate Judge Brooks on May  
26 21 to report on their progress and to discuss remaining outstanding issues. A 90-day extension  
27 of the stay will permit the parties to continue their settlement efforts without the cost or  
28 distraction of litigation.

1 For these reasons, the Tribes respectfully request that the stay of litigation be extended to  
2 July 20, 2015.

3  
4 Date: April 20, 2015

Respectfully submitted,

5 BERKEY WILLIAMS LLP

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